

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

FREE RANGE CONTENT, INC., et al.,
Plaintiffs,
v.
GOOGLE INC.,
Defendant.

Case No. [14-cv-02329-BLF](#)

**ORDER RE JOINT SCHEDULING
SUBMISSION**

[Re: ECF 119]

The parties have submitted a joint scheduling submission with disputed dates for Defendant's proposed International Class Motion, Plaintiff's Motion for Class Certification, and Discovery and Summary Judgment. ECF 119.

With regard to the first two disputes, the Court's heavily impacted schedule can accommodate neither a hearing in August 2016 as requested by Defendant for the International Class Motion nor a continued date for the Motion for Class Certification as requested by Plaintiff. Therefore, the Court does not set dates for the International Class Motion. Defendant may file such a motion and have it heard on the Court's next available date. In addition, the Court finds that a joint scheduling submission is not the proper vehicle for Defendant's request regarding the preclusive effect of arguments brought in its International Class Motion on arguments available for its Opposition to Class Certification. As a result, the Court does not address this improper request.

As for the Motion for Class Certification, the Court maintains the hearing date set in the Case Management Order, *see* ECF 115, and therefore adopts Defendant's proposed dates.

Finally, the Court finds the later dates proposed by Plaintiff for discovery and summary judgment to be reasonable. However, the Court does not hear summary judgment and *Daubert*

1 motions on the same day, and therefore sets the parties' *Daubert* hearings for February 9, 2018. If
 2 the parties wish to set the dates for the *Daubert* briefing by Court order, they may submit a
 3 stipulated schedule and proposed order for those dates.

4 Accordingly, the Court SETS the following schedule:

Event	Date
Deadline for Google's Answer to TAC	June 3, 2016
Motion for Class Certification	October 6, 2016
Opposition to Motion for Class Certification	November 17, 2016
Reply in Support of Class Certification	December 22, 2016
Class Certification Hearing	January 19, 2017
Discovery Closes (Except for Expert Discovery)	July 20, 2017
Opening Expert Merit Report(s)	July 27, 2017
Rebuttal Expert Merit Report(s)	August 24, 2017
Close of Expert Discovery	September 14, 2017
Motions for Summary Judgment	September 14, 2017
Summary Judgment Responses	October 5, 2017
Summary Judgment Replies	October 19, 2017
Summary Judgment Hearing	November 2, 2017
Deadline for Parties to Meet and Confer re Joint Pretrial Statement	February 1, 2018
Pretrial Statement and Proposed Order	February 8, 2018
Motions in Limine	February 8, 2018
<i>Daubert</i> Hearing	February 9, 2018
Responses to Motions in Limine	February 15, 2018
Submit Jury Instructions	February 15, 2018
Pre-Trial Conference	February 22, 2018

Trial Briefs	March 12, 2018
Trial	March 19, 2018

IT IS SO ORDERED.

Dated: June 3, 2016



BETH LABSON FREEMAN
United States District Judge